Lester L. Levy *(Admitted Pro Hac Vice)*
Michele F. Raphael *(Admitted Pro Hac Vice)*
WOLF POPPER LLP
845 Third Avenue
New York NY 10022
Telephone: 212.759.4600
Facsimile: 212.486.2093
e-mail: llevy@wolfpopper.com
e-mail: mraphael@wolfpopper.com

William M. Audet (SBN 117456)
Audet & Partners, LLP
221 Main Street, Suite 1460
San Francisco, CA 94105-1938
Telephone: 415.568.2555
Facsimile: 415.568.2556
e-mail: waudet@audetlaw.com

Attorneys for Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CLRB HANSON INDUSTRIES, LLC d/b/a INDUSTRIAL PRINTING, and HOWARD STERN, on behalf of themselves and all others similarly situated, Plaintiffs, vs. GOOGLE, INC., Defendant.	CASE NO: C05-03649 JW **[PROPOSED] ORDER DENYING IN PART, AND GRANTING IN PART, DEFENDANT GOOGLE INC.'S ADMINISTRATIVE MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL IN CONNECTION WITH GOOGLE INC.'S OPPOSITION TO PLAINTIFFS' SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PARTIAL SUMMARY JUDGMENT** Civil L. R. 79-11 Civil L. R. 79-5 Courtroom: 8 Judge: Hon. James W. Ware

Dockets.Justia.com

Defendant Google Inc. has made an Administrative Motion for Leave to File Documents Under Seal. The Court has duly considered the submissions and arguments of counsel for both parties and finds that there is no good cause to grant Google's request to file Google Inc.'s Opposition to Plaintiffs' Supplemental Memorandum in Support of Partial Summary Judgment under seal. Nor has Defendant made the requisite showing with respect to Exhibits A, B and C to the Supplemental Declaration of M. Christopher Jhang in Support of Google, Inc.'s Opposition to Plaintiffs' Supplemental Memorandum in Support of Partial Summary Judgment ("Supp. Opp. Jhang Decl."). Google has not shown that it possesses overriding confidentiality interests that overcome the right of public access to the record nor to support sealing the record. Nor has Google shown that it is likely to be prejudiced nor irreparably harmed. Google's requested sealing is not narrowly tailored, it does not comport with the parties' confidentiality stipulation and there are less restrictive means to achieve any confidentiality interests.

IT IS THEREFORE ORDERED that Google's Administrative Motion for Leave to File Documents Under Seal is DENIED, except with respect to Exhibits F and G to the Supp. Opp. Jhang Decl.

IT IS SO ORDERED.

Dated: May __, 2007

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The Honorable James Ware
United States District Court Judge